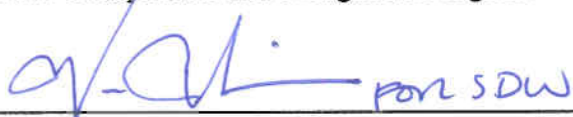


PROGRAM DIRECTOR ACTION REQUEST

To: Ted Rauh, Program Director
Waste Compliance and Mitigation Program

From: 
Scott Walker
Supervising Waste management Engineer
Cleanup, Closure and Financial Assurances Division

Prepared By: Wes Mindermann
Senior Waste Management Engineer

Reviewed By: Steve Levine, Legal Office

Prepared On: July 26, 2010

Subject: APPROVAL OF THE HUME LAKE DISPOSAL SITE, FACILITY NO.
10-CR-0031, FRESNO COUNTY, SOLID WASTE DISPOSAL AND
CODISPOSAL SITE CLEANUP PROGRAM (SOLID WASTE DISPOSAL
TRUST FUND, FY 2009/10)

REQUESTED ACTION:

Department of Resources Recycling and Recovery (Department) staff have completed an evaluation and recommend approval of the Department-managed cleanup of the Hume Lake Disposal Site (IDS) pursuant to the Solid Waste Disposal and Codisposal Site Cleanup Program (Program).

Time Factor: Decision required no later than August 11, 2010.

Options: The Program Manager may decide to:

1. Approve the proposed project;
2. Disapprove the project; or
3. Direct staff to provide additional information and bring the project back for future consideration.

Recommendation: Staff recommend Option 1.

PROJECT SCOPE:

Site Location/Description: The 0.2 acre site is located on United States Forest Service (USFS) lands in the Sequoia National Forest, near the recreational reservoir of Hume Lake. The site is approximately 2 miles off the east side of Kings Canyon Scenic Byway (Highway 180) approximately 5 miles north of the intersection of the Generals Highway and the Kings Canyon Scenic Byway (Highways 180 and 198), in Fresno County. The site was owned and operated as a free disposal site by the USFS serving the Hume Lake Campground and Hume Lake Christian Conference facilities from the 1940s through the 1960s. The site appears to have been primarily a dump and cover disposal operation of residential trash/garbage.

Enforcement Actions: The Fresno County Department of Community Health is the Local Enforcement Agency (LEA) for the site. The LEA has noted grading and erosion control as areas of concern for this site for several years. In addition, limited metal debris, glass, and other materials are exposed on the surface of the disposal area.

Proposed Remediation Project: The USFS developed a remediation design and work plan in 2005 that was acceptable to the LEA and the Department. This project will implement the approved design and will consist of the removal of surface debris and the installation of two different erosion control products in steeply sloped areas.

FISCAL IMPACTS:

Cost Estimate: The Department-managed project will be performed on a time-and-materials basis under the Program's Southern California remediation contract (IWM07037). The Program's contractor has conducted a site visit with Program staff and developed a work plan with a preliminary cost estimate of \$90,000, which includes a 10 percent contingency. These costs would be shared per an agreement with the USFS, with an estimated cost to the Program of \$45,000. Actual costs may vary depending on a variety of factors including, but not limited to the quantities and/or types of materials encountered, market forces, the required timeframes for cleanup, and competitive bids from subcontractors.

Funding: Funding for the project will be derived from previously encumbered funds from the Solid Waste Disposal Trust Fund in the Program's Southern California remediation contract (IWM07037). The contract currently has \$818,000 in available funds from the Solid Waste Disposal Trust Fund and is adequately funded to complete this project.

Cost Recovery: Public Resources Code Section 48023 directs the Department to seek reimbursement for monies expended under the Program to the extent possible. To address cost recovery for Department-managed projects on USFS lands, the USFS and the Department have adopted a Master Participating Agreement that defines agency roles and responsibilities and agrees to equally split the remediation costs. The Department provides project management and remediation contractor services and the Forest Service provides project environmental permitting and reimburses the Solid Waste Disposal Trust Fund for their share of the remediation costs.

BACKGROUND:

Program Eligibility: The Program addresses cleanup of solid waste disposal and codisposal sites where the responsible party either cannot be identified or is unable or unwilling to pay for a timely remediation and where cleanup is needed to protect public health and safety or the environment. Cleanup projects are implemented through Department-managed contracts, grants, and loans. Staff uses adopted regulations and policies in determining site eligibility. Unless otherwise noted, actions proposed for this project are specifically eligible pursuant to the regulations.

Site Prioritization: Based upon the exposed solid waste, surface erosion, and the site's proximity to a stream (approximately 150 feet away), the site is rated as an environment priority of A1. Priority A1 is a suspected condition of pollution or nuisance from solid waste based on comparison with state minimum standards with significant residential, industrial, park, recreation, or environmentally sensitive areas within 1,000 feet. In addition, other factors used in making the site a priority for the Program include the ability of the Department to remediate the site with available funds, and the amount of in-kind services and funds from the Forest Service.

California Environmental Quality Act (CEQA): Program staff has reviewed the proposed project and determined that it is categorically exempt per the Class 8 exemption (14 CCR §15308: Actions by Regulatory Agencies for Protection of the Environment). Compliance with CEQA requirements will be made with a Notice of Exemption filed by the Program staff.

Support: Cleanup assistance was requested from the USFS, who is working cooperatively with the LEA.

Opposition: Staff has not received any written opposition at the time this document was submitted for approval.

FINDINGS:

On the basis of the information and analysis in this Request for Action, the Department hereby approves this project under the Solid Waste Disposal and Codisposal Site Cleanup Program.

In addition, the Department directs staff to prepare and file a Notice of Exemption for the project with the State Clearinghouse.



Ted Rauh, Program Director
Waste Compliance and Mitigation Program

JULY 30, 2010

Date